

Remarks

A. Claims in the Case

Claims 1-11 and 13-15 are pending. Claims 16-18 and 20-22 have been cancelled.

B. 35 U.S.C. § 101

The Board entered a new ground of rejection of claims 16-18 and 20-22 under 35 U.S.C. §101 because the claims were directed to a carrier medium. To expedite prosecution of the case, Applicant has cancelled claims 16-18 and 20-22.

C. The Claims are Not Unpatentable over Borghesi, DeFrancesco, and Aquila

The Board reversed the Examiner's rejections of claims 1 and 9 under 35 U.S.C. §103(a) as being unpatentable over Borghesi and DeFrancesco. The Board indicated that it did not see where DeFrancesco corrected the deficiencies found in Borghesi with respect to providing a teaching of an insurance claim processing server performing the function of estimating a value of an insurance claim as a function of claim assessment data (See Finding of Fact 3). The Board also indicated that it did not see where Aquila would cure the deficiencies found in Borghesi of the insurance claim processing server performing the function of estimating a value of an insurance claim as a function of claim assessment data (See Finding of Fact 4). Applicant respectfully submits that claims 1 and 9 and the claims dependent thereon are allowable over the cited art.

D. Additional Remarks

Based on the above, Applicant submits that the claims are now in condition for allowance. Favorable reconsideration is respectfully solicited.

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Appl. Ser. No.: 09/603,303
Atty. Dckt. No.: 5053-36000

If any fees are omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5053-36000/EBM.

Respectfully submitted,

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